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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 11-00309-LHK  
12 Plaintiff, ) STIPULATION AND [PROPOSED]  
13 vs. ) ORDER CONTINUING HEARING DATE  
14 FAUZIA LODHI, ) AND EXCLUDING TIME UNDER THE  
15 Defendant. ) SPEEDY TRIAL ACT

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**STIPULATION**

18 Defendant Fauzia Lodhi, by and through Assistant Federal Public Defender Varell L.  
19 Fuller, and the United States, by and through Assistant United States Attorneys Matthew A.  
20 Parella and Daniel Kaleba, hereby stipulate that, with the Court's approval, the status hearing  
21 currently set for Wednesday, November 16, 2011, at 10:00 a.m., shall be continued to  
22 Wednesday, January 18, 2012, at 10:00 a.m.

23 The reason for the requested continuance is defense counsel requires additional time to  
24 review and organize the 8,918 pages of printed discovery received to date. The discovery  
25 provided to date includes, but is not limited to, hours of video depositions of Ms. Lodhi,  
26 voluminous financial and State Farm Insurance claim records, numerous witness interviews, and

1 forensic arson investigation reports that pertain to counts thirteen and fourteen of the indictment.  
2 Based on the volume of discovery provided, defense counsel's on-going review of those  
3 materials, the complexity of the issues with respect to the charged offenses, and defense  
4 counsel's on-going investigation, the defense request additional time to effectively prepare. The  
5 defense therefore respectfully requests a continuance of the status hearing date set in this matter  
6 to January 18, 2012.

7       The parties agree that the time between November 16, 2011, and January 18, 2012, may  
8       be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective  
9       preparation by both counsel.

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11 || Dated: November 9, 2011

/s/                           
**VARELL L. FULLER**  
Assistant Federal Public Defender

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Dated: November 9, 2011

/s/                           
MATTHEW A. PARELLA  
Assistant United States Attorney

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/s/  
**DANIEL KALEBA**  
Assistant United States Attorney

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## **[PROPOSED] ORDER**

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22 ORDERED that the hearing currently set for Wednesday, November 16, 2011, shall be  
23 continued to Wednesday, January 18, 2012, at 10:00 a.m.

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25 January 18, 2012, would unreasonably deny counsel for the defendant reasonable time necessary  
26 for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§

1 3161(h)(7)(B)(iv).

2 THE COURT FINDS that the ends of justice served by excluding the time between  
3 November 16, 2011, and January 18, 2012, from computation under the Speedy Trial Act  
4 outweigh the interests of the public and the defendant in a speedy trial.

5 THEREFORE, IT IS HEREBY ORDERED that the time between November 16, 2011,  
6 and January 18, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C.  
7 § 3161(h)(7)(A) and (B)(iv).

8 IT IS SO ORDERED.

9 Dated: 11/9/11

  
THE HONORABLE LUCY H. KOH  
United States District Judge

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